

Committee Agenda

Committee: Senate Agriculture and Natural Resources
Room: 412
Date: Tuesday, February 15, 2011
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

Confirm reappointment of Steven Pirner, Hughes County, Pierre, South Dakota, to the position of Secretary of the Department Environment & Natural Resources

Confirm appointment of James C. Spies, Codington County, Watertown, South Dakota, to the Game, Fish and Parks Commission.

Confirm appointment of Barry Jensen, Mellette County, White River, South Dakota, to the Game, Fish and Parks Commission.

[HB 1002](#)* **revise certain provisions regarding the documentation of data used to make adjustments during the assessment process for factors that affect the capacity of the land to produce agricultural products.**
Representatives Dennert, Cronin, and Street and Senator Rhoden at the request of the Agricultural Land Assessment Implementation and Oversight Advisory Task Force

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

SHANTEL KREBS, Chair

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Tuesday, February 15, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 10, 2011

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

SB 87: prohibit local exchange carriers from assessing certain access stimulation charges and to establish certain penalties.

MOTION: RECONSIDER AND DO NOT PASS SB 87

Moved by: Rave
Second by: Lederman
Action: Prevailed by roll call vote. (4-0-3-0)

Voting Yes: Johnston, Lederman, Rave, Nelson (Tom)

Excused: Adelstein, Buhl, Nygaard

SB 158: toll the Department of Environment and Natural Resources administrative rules on underground injection control Class III wells and in situ leach mining until the department obtains primary enforcement authority of the comparable federal programs.

Presented by: Senator Tim Rave

Proponents: Larry Mann, Powertech, USA

Mark Hollenbeck, Powertech

Opponents: Rebecca Leas, self, Rapid City (Handout: #1)

Lilias Jarding, self, Rapid City

Edward Raventon, SD Sierra Club (Handout: #2)

Steve Pirner, Department of Energy and Natural Resources answered a question

MOTION: DO PASS SB 158

Moved by: Rave

Second by: Lederman

Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Voting No: Buhl

SB 123: allow military spouses to receive unemployment compensation if they leave their jobs due to a spouse's military transfer.

Presented by: Senator Jeffrey Haverly (Handout: #3)

Proponents: Mark Anderson, State Federation of Labor AFL-CIO, SD

Opponents: Don Kattke, Department of Labor

MOTION: DO PASS SB 123

Moved by: Adelstein

Second by: Buhl

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 123 ON CONSENT CALENDAR

Moved by: Johnston
Action: Died for lack of a second.

SB 182: require the inspection of certain property adjacent to lakes before the property may be transferred.

THE CHAIR DEFERRED SB 182 UNTIL TO THURSDAY, FEBRUARY 17, 2011

SB 161: prohibit certain unfair or discriminatory practices based on age and veteran or military status.

THE CHAIR DEFERRED SB 161 UNTIL THURSDAY, FEBRUARY 17, 2011

SB 143: allow artisan distillers and farm wineries to sell certain distilled spirits to wholesalers and retailers.

Presented by: Senator Eldon Nygaard
Proponents: Patrick Rounds, Dakota Spirits Distillery
Opponents: Matt Fonder, Department of Revenue
Josh Fritz, self, Spearfish

The gavel was passed to Senator Rave

Bob Riter Jr., SD Beer Wholesalers
Jeremiah M. Murphy, Republic Beverage
Tim Dougherty, Licensed Beverage Dealers of SD

Tom Rounds, self, Pierre, answered a question

THE CHAIR DEFERRED SB 143 UNTIL THURSDAY, FEBRUARY 17, 2011

SB 180: impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill.

Proponents: Bret Clanton, Buffalo, self
John Harter, Winner, self

THE CHAIR DEFERRED SB 180 UNTIL THURSDAY, FEBRUARY 17, 2011

The gavel was turned over to Vice-Chair, Nygaard

MOTION: ADJOURN

Moved by: Rave

Second by: Buhl

Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair

86th Legislative Session – 2011

Committee: Senate Education

Tuesday, February 15, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Gray
P Kraus
P Rave
P Schlekeway
P Johnston, Vice-Chair
P Garnos, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cooper Garnos, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 10, 2011

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

THE CHAIR DEFERRED SB 197 UNTIL THURSDAY, FEBRUARY 17, 2011

MOTION: CONFIRM APPOINTMENT OF PATRICK L. WEBER OF MCCOOK COUNTY, MONTROSE, SOUTH DAKOTA, TO THE STATE BOARD OF REGENTS

Moved by: Gray
Second by: Schlekeway
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Gray, Kraus, Rave, Schlekeway, Johnston, Garnos

MOTION: CONFIRM REAPPOINTMENT OF TERRY BALOUN OF FAULK COUNTY,

HIGHMORE, SOUTH DAKOTA, TO THE STATE BOARD OF REGENTS

Moved by: Rave
Second by: Kraus
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Gray, Kraus, Rave, Schlekeway, Johnston, Garnos

MOTION: CONFIRM REAPPOINTMENT OF RANDY MORRIS OF LAWRENCE COUNTY, SPEARFISH, SOUTH DAKOTA, TO THE STATE BOARD OF REGENTS

Moved by: Johnston
Second by: Rave
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Gray, Kraus, Rave, Schlekeway, Johnston, Garnos

HB 1133: revise certain provisions relating to the excusal of a child from school.

Presented by: Senator Elizabeth Kraus
Proponents: Representative Thomas Brunner
Brent Woodward, self, Rapid City
Norman Woods, self, Rapid City (Handout: 1)
Monica Tanner, Self, Rapid City
Dale Bartscher, Family Heritage Alliance
Kristin Shippy, self, Colome
Barb Bishop, SDCHE
Melody Schopp, Department of Education

MOTION: DO PASS HB 1133

Moved by: Schlekeway
Second by: Bradford
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Gray, Rave, Schlekeway, Johnston, Garnos

Excused: Kraus

SB 169: revise certain requirements relating to participation by tribal schools in the federal school lunch program.

Presented by: Senator Jim Bradford

Proponents: Representative Kevin Killer

Christopher Bordeaux, Oceti Sakowin Education Consortium, Kyle (Handout: 2)

Ted Hamilton, Tiospa Zina School, Sisseton

Opponents: Wade Pogany, Department of Education (Handout: 3)

MOTION: DEFER SB 169 TO THE 41ST LEGISLATIVE DAY

Moved by: Kraus

Second by: Johnston

Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Kraus, Rave, Johnston, Garnos

Voting No: Bradford, Gray, Schlekeway

MOTION: ADJOURN

Moved by: Rave

Second by: Schlekeway

Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Cooper Garnos, Chair

Committee Agenda

Committee: Senate Judiciary
Room: 413
Date: Tuesday, February 15, 2011
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 176](#) **provide for the crime of human trafficking, to establish the elements and degrees of the crime, and to provide penalties for the violation thereof.**

Senators Cutler, Adelstein, Buhl, Holien, Kraus, Olson (Russell), Peters, Putnam, Rhoden, Schlekeway, and Sutton and Representatives Moser, Abdallah, Conzet, Deelstra, Fargen, Gosch, Haggar, Hansen (Jon), Hickey, Hubbel, Liss, Lust, Magstadt, Nelson (Stace), Novstrup (David), Rozum, Sly, Steele, Street, Wick, and Willadsen

[SB 114](#) **provide that parties to a divorce or separate maintenance action be restrained from making changes to insurance coverage.**

Senators Kraus, Adelstein, and Rampelberg and Representatives Verchio, Hunt, Kopp, Liss, Lust, Russell, Sly, and Stricherz

[SB 156](#) **prohibit the employment of unauthorized aliens, to criminalize the knowing transportation, concealment, or solicitation of unauthorized aliens, and to provide penalties therefor.**

Senators Tieszen, Kraus, Novstrup (Al), Rhoden, and Vehle and Representatives Kopp, Bolin, Boomgarden, Haggar, Hickey, Hubbel, Jensen, Jones, Kirkeby, Munsterman, Nelson (Stace), Novstrup (David), Russell, Solum, Steele, Stricherz, Venner, Verchio, and Wick

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

CRAIG TIESZEN, Chair